



"Be British, My Men!"

Time for a Change.

A Day Nursery Wanted.

When the Rio Foundered.

Low Water Level in Politics.

The Titanic Disaster.

"Be British, my men!"

Down into the roll of history will go these four short words, to live in Anglo-Saxon memories so long as heroism is honored. With Nelson's battle motto: "England expects every man to do his duty," and the dying words of Lawrence: "Don't give up the ship," the heart-gripping words of the hero of the Titanic will rank.

Nelson issued his reminder of British duty to his men on the eve of his last great fight at Trafalgar, but he did not know that death had marked him as its shining mark. He spoke to animate his men into a victory that all knew was to cost many of them their lives, and their cheers, as his words reached the fleet, brought to the lips of Villeneuve other words. "All is lost," he is reported to have muttered to the officers around him on the French flag-ship.

When the decks of American frigate Chesapeake were being swept by shot and canister from the British frigate Shannon, Captain Lawrence, his breast torn by a mortal wound, cheered his undisciplined crew with a dying command: "Don't give up the ship," a command which was traced upon the ensigns of succeeding fighters upon the sea, a true American motto for Americans, that they may never fail in their duty even when death swings his keen-bladed scythe.

High up on the bridge of the greatest passenger vessel afloat, as the women and children were being put into the few boats to be sent out into the fog to seek safety, stood Captain Smith of the steamship Titanic, then careening and ready to plunge to the depths of the cold Atlantic. When a sign of panic appeared among those gathered upon the decks, all knowing that when the boats left the side their last chance to live had vanished, Captain Smith raised his megaphone to his lips. "Be British, my men!" came his call, reminder that steadied all below him and which instantly gave them courage to refrain from violence and stand ready to pass through the jaws of death, yawning for them.

It was a call to Anglo-Saxon manhood, and Death found his sixteen hundred Anglo-Saxons waiting with the fortitude of their race.

It is a good political prophecy that Link McCandless will beat Kuhio at the polls this fall. McCandless has undoubtedly gained many Hawaiian supporters and just as undoubtedly he will have many haole supporters against Kuhio. Hundreds of those who supported the Republican candidate in the last election will not support him again, even though he is "doing his duty" and "striving for the good of Hawaii" and the other things we are being told about in nauseating editorials.

There is one way, however, to save Kuhio from a beating and at the same time prevent the election of McCandless, and only one way. That is for the Republicans to put up another candidate, one they will not have to apologize for, to coax along, to steer from morn to dewy eve and, after election, "to put up with." There are half a dozen good Republicans in Hawaii who can beat McCandless. Charley Rice is one of them, as I have ventured to say before.

The Bystander is not one of those who believe that this Territory has to depend upon Kuhio or any other one man for its political salvation, neither am I one of those who believe that the Hawaiian voters are going to declare a political revolution unless one of their number is nominated for congress. I know plenty of Hawaiians who are ready today to vote for McCandless against the alii and I know a lot of others who would welcome the opportunity of voting for some Republican leader other than Kuhio.

Anyhow, I think it is time that the Republican leaders began to take some steps to beat McCandless, and they can not do it by running Kuhio against him.

When a man has two babies, both at the crawling, match-hunting age, inclined to fall down holes, roll off porches, find the sharp edged cutlery or drink the gasoline, and the mother decides to desert the homestead and return no more, the progenitor usually finds his hands full to overflowing. Now, when this man happens to have a job which requires ten hours of his undivided attention every day and does not net enough to warrant the employment of a caretaker for his homestead, what is he going to do with the youngsters? There is no day-nursery in Honolulu; one can not inflict babies on the neighbors every day although it may work for a time.

Such a case came up recently at Palama. A Chinaman was deserted by his Hawaiian wife and left with two babies at the nursing age on his hands. He is a day laborer and can not afford to pay for a housekeeper, so every day he makes a trip up to the settlement with a baby on each arm and asks if they have found any means of helping him. Palama settlement would like to have a day nursery, as many other institutions about town would if the money were forthcoming, for this is only one of a hundred similar cases that could be cited by those who work among the tenement dwellers. The worst of it is that in most cases, the father or mother decides that it is better to feed the baby than care for it, so goes off to work and leaves the youngster to shift for itself. If the treasured one is at the bottom of a well when they return that is the hand of fate. The day nursery is now as much a part of community life on the mainland as the school and I believe its addition to Honolulu's benevolent equipment would forestall the hand of fate in no many cases that if the babies are worth considering the day nursery might also be worth a little boosting.

Many people here remember when the steamer Rio went down off the Golden Gate. She was an old tub, with no watertight compartments and she went down in about twenty minutes after she struck a rock somewhere near the Golden Gate—no one knows definitely yet just where she struck. Probably no one will ever know. There was some strenuous criticism of the steamer then. "In these modern days, a vessel should not be allowed to cross the seas with passengers unless provided with water tight compartments," was the commonest criticism. There was no wireless then—merely a foghorn with which the poor old Rio tried to summon help. Yet in proportion to the number of people aboard she saved in about twenty minutes as many people as the great, modern, splendidly equipped Titanic saved in several hours.

It appears from current political discussion that Link McCandless is very glad over the defeat of the strictly Kuhio forces, as against the Taft and Frear forces, in the Republican convention a week ago. A lot of Republicans may be heard to say that now they will vote the Democratic ticket. Even on the floor of the convention a shout was heard, when the decisive vote was announced, of "Hurray for McCandless." Since then some of the party leaders have declared that the popular vote is going to Link. If cable tolls were not so high, Kuhio would probably have got a lot of messages from his own party men urging him to quit the party because he lost out in the convention, and to resign as a member of the delegation to the national convention because Frear and some plantation men were his associates.

It seems to me that the politicians who propose this sort of desertion of their party have a very poor idea of the obligation undertaken when they become members of a convention and have no conception whatsoever of party principles. To enter into a convention fight involves the proposition that if

we achieve victory we will enjoy the results, whatever they are. That, of course, also involves the proposition of accepting the consequences, within the party, of defeat, because only the party could give the benefits of a victory. Delegates who enter a convention and try to win it over to their views, are surely bound in honor to support its conclusions if they lose. But I have heard men who fought in the Republican convention on the losing side declare that they were now for the Democratic side. Isn't a voter who takes part in a convention, and tries to have it go his way, expecting it to support his proposition if he carries it, in honor bound to support it if he loses?

Two propositions stand out amid the local discussion of the awful Titanic disaster. One is the appearance in maritime history of some new heroes and a new and greater record than ever of Anglo-Saxon calmness and courage under stress of danger, and the other the appalling failure of the very latest of all modern safety appliances.

As to the first, people recall the Burgoyne disaster, of which the horrible features were the fights between men and women, passengers and crew, for places in the lifeboats. The Titanic, going down with her captain on the bridge, and her officers and crew on duty saving women and children, and a band playing to the last, presents a splendid contrast.

As to the other proposition, I find that Honolulu people, who have all traveled more or less, are wondering what the modern "safe" steamers really are. The Titanic, it was understood, had instruments which could detect the presence of an iceberg some miles away, registering its influence, through delicate instruments watched by those on the bridge. Is the instrument a failure, or is some officer who was on the Titanic liable to the awful charge of not watching it closely enough? The watertight compartments were supposed to make this vessel safe from sinking. When emergency came, it was found that they couldn't be closed. Why were they open at all? Might it not have been foreseen that any shock big enough to endanger the vessel might throw out of gear the machinery by which these compartments were to be closed?

The lifeboat proposition is another feature that Honoluluans are discussing. We are all accustomed to seeing the lifeboats, and watching the fire drills which are supposed to show how well trained the crews are to save passengers in case of emergency. Yet here is the Titanic, the very latest modern steamer of them all, sinking after some hours of emergency during which there was certainly plenty of opportunity to place people in lifeboats, and sixteen hundred people drowned. The proposition is the more painful because rescue steamers were on the way to the scene, and just a few hours was all that was needed to save all on board. The wireless, which Pacific Mail Manager Schwerin declined to put on his steamers because he said it was only a "toy of the passengers" did its part. It had steamers racing to the rescue from several directions. If watertight compartments and lifeboats had proved anything near efficient, there need have been no heavy loss of life. If the iceberg-detecting apparatus had done its work, there need have been no disaster at all.

## Small Talks

ELIAS JONES.—I would rather be a live coward than a dead hero.

ROBERT SHINGLE.—I am so tired of politics. There is nothing in them anyhow.

MAJOR NEVILLE.—I am glad I am not in the army. Have you seen the new mess jackets?

ROBERT RECKONS.—What's the use of talking. All that was over last Monday night.

MAJOR CAMPBELL.—For an officer who is compelled to lead a sedentary life, golf is one of the best counter-irritants.

W. W. HARRIS.—I am rather inclined to think that the position of superintendent of public works could well be filled by a business man instead of by an engineer.

JOHNNY MARTIN.—This thing of being king is fine. I can understand now how George and William and Kamehameha felt. Of course, it has its grave responsibilities, even in Kakaako.

GEORGE THIELEN.—There is nothing to it but Roosevelt. Why I am betting two to one and better that he will carry Ohio at the presidential primaries, and win the nomination over Taft.

LLOYD CONKLING.—Taxes are things that I am not worrying about tonight. Indeed I am not worrying about anything since last Monday night. Everything is lovely. Besides The Advertiser found my lost turkey for me.

DR. E. V. WILCOX.—If you want to talk Hawaiian agriculture now, talk pineapples. A lot has been said and a lot has been written about them but there will be much more to say; for the pineapple is starting on his career in these islands.

LINK McCANDLESS.—I can not imagine why people speak of a steam roller, or a rock crusher when they refer to the Democratic convention last Monday. What won was organization—and a little foresight as to what the delegates would need when they were here.

MANAGER BALLENTYNE.—The new Wilder avenue switch will be used today (Sunday) for the first time. Inbound cars which are standing at the Manoa junction when a Punahou-bound car arrives on the experiment station switch, will wait for the town car. This will improve our service very much. I hope soon to be able to lengthen out the Lunalilo street switch as far as McStocker's. This would also improve the Punahou service.

EMIL BERNDT.—I have always been a consistent opposer of billboards and billboard advertising. A short time ago I was charged with having permitted billboards to go up on one of my lots in Pawaa. I did not know that my property had been encroached upon until I was visited by a delegation of residents from that neighborhood. I gave immediate orders to have the boards removed. I believe we get better results from other kinds of advertising. Personally, I know it.

G. F. AFFONSO.—The people who are running the affairs of the Punahou, Kamehameha and High School baseball teams have set the community a bad example in refusing the St. Louis College team an entree. There should be a certain fraternal feeling exhibited between schools especially in the realm of sports. The St. Louis boys are every bit as manly as are the best one may find in the other schools. If the exclusion of the Saints is due to the fact that, as a rule, they generally get what they are out for, then the sooner the other teams quit business the better for the true sporting spirit.

## Sugar and Income Tax Legislation

The most notable recent event in congress has been the passage of the sugar and excise tax bills. The first would make sugar free. In this case the government would lose nearly sixty million dollars in revenue from the taxes paid to it by the importers of sugar. Such a proposition, affecting, as it would, our cane sugar industry, and the beet sugar cultivation in seven States, together with its effect upon Cuba, Porto Rico, Hawaii, and the Philippines, should receive the most careful treatment. To make up the loss of revenue from sugar, an income tax bill has been proposed. But the Supreme Court has declared a general income tax unconstitutional, for lack of necessary apportionment among the population, and the States are now considering the acceptance or rejection of the proposed sixteenth amendment to the Constitution, giving congress undisputed authority to impose such a general tax. The Supreme Court, however, has upheld the existing corporation tax as constitutional. Hence Mr. Underwood, chairman of the committee on ways and means in the house of representatives, has conceived the idea of extending its provisions, and in this way to obtain the practical results of an income tax law without violating the Supreme Court's ruling. He proposed, and the house has now adopted a tax, legislatively intended as an excise, the subject of the tax to be the conduct of business, which, according to a uniform line of decisions by the Supreme Court, is a proper subject of an excise tax. In brief, then, the proposed tax is an excise on the privilege of doing business. The corporation tax was held good because corporations have privileges withheld from private citizens, but it is not the same thing to say that it is a "privilege" to do business in a partnership or individual capacity. To try to collect the tax on that score might seem open to defeat in the courts. Moreover, the proposed tax does not touch those rich men who are not in business but live on their possessions, whatever they may be; real estate, mortgages, and various securities—anything but a private business of buying and selling. And yet the bill would seem, as reported, to tax the income of the "business" of being a lawyer or a doctor! Furthermore, the plan of self-assessment embodied in the bill would be a premium upon deceit. It remains to be seen whether the bill, when examined by the senate, will not be modified in this respect.

## PHILIPPINES SEE HOPE OF INDEPENDENCE, IF THE DEMOCRATS WIN COMING ELECTION

The hope for independence in the Philippines is centered in the coming battle of the Democratic and Republican parties, according to Joaquin Balmori, delegate to the Philippine assembly at Manila, and a special representative of the labor party of the Philippines, to ascertain the condition of Filipino laborers on the plantations of Hawaii.

"If the Democratic party wins the presidential election we may reasonably hope for a declaration of independence for the Philippines," said Mr. Balmori yesterday. "We do not believe that the Republican party will make any change in the government, but we do believe that the Democratic party will give what ninety per cent. of the Filipinos want."

Mr. Balmori is one of the results of Admiral Dewey's victory at Manila Bay. Following the outbreak of the Filipino insurrection against the United States, Balmori took to the field, and intended to serve under Ricarte, the only leader who refused to take the oath of allegiance to the United States, and is now a resident of Hongkong. Balmori donned a uniform, bestrode a horse and went forth to war under Ricarte. But he served only one day when he was captured, horse, uniform and all, by the United States troops.

Into Politics. After the war Balmori became a leader of his party, the Nacionalista, in Pangasinan, Luzon, and today is recognized as the leader of the labor party, an offshoot of the Nacionalista.

Balmori ran foul of the laws of the Philippines and found himself face to face with judges on a charge of sedition. He was not alone in this, for Dominador Gomez and many others faced the judges. Gomez is not now so much of a factor with his countrymen

as in the early days following the insurrection.

Two years ago Balmori, leader of the labor party, was one of the men instrumental in bringing on the big street railroad strike among the Filipinos, a strike which tied up the systems. He was arrested for inciting the men to strike and had his turn in the courts.

Some time ago rumors reached the labor party that the Filipino laborers brought to Hawaii to work on the plantations were not being well treated, and that those who were sick and in need of attention in hospitals, were not given much attention, and were allowed to die like dogs. The report aroused the labor party and the matter became a political issue, with the result that Mr. Balmori was selected to come to Honolulu to make a thorough investigation.

### Rumors Unfounded.

"I have ascertained that these rumors were absolutely unfounded," said Mr. Balmori yesterday. "I have visited plantations on Oahu and Hawaii, and in none of those places have I found a single instance where the charge could be confirmed. To the contrary, I have found that the Filipinos are well treated and when sick are given every care."

"I have also found that the Filipinos are well paid. They receive double what they do in their own country. I have found that they are pretty well satisfied. Another rumor which came to us was that the laborers were paying all their money back to the plantations through the plantation stores which were alleged to be charging them the highest prices. This rumor is also unfounded. The people are able to save money."

Mr. Balmori was the guest of honor at a dinner given at the University Club Friday evening, his hosts including E. Faxon Bishop and many other plantation men. Last night the first of a series of despedidas was given for Mr. Balmori at Odd Fellows Club by Filipino residents of Honolulu.

## MANY STRANGE ACCIDENTS REPORTED FROM THE OUTLYING ISLAND CITIES

The outlying islands have been more than usually prolific in serious accidents during the past week, but in only one instance, out of a number of narrow escapes from death did any of these result fatally and that was in the case of a deliberate suicide at Makaweli, Kauai.

A certain forlorn Russian, known as Schkelo, who had been out of work for some time and had been applying in all quarters for any kind of work until he was completely destitute, threw himself under the wheels of a locomotive last Sunday morning and was instantly ground to death. The man was most deliberate in adopting this horrible form of suicide. He stood by the track and watched the engine approach at full speed until it was within a few feet of him when he dived under the wheels. His body was horribly mangled and death was instantaneous.

An accident of a very different type occurred on the Hanalei road, Kauai, the same day, when a certain citizen of that island who had absorbed an unusually heavy Sunday jag rode his horse over a high precipice and landed at the edge of the surf, taking down with him a few tons of loose rock and gravel. He was granted the usual special dispensation and both he and his charger escaped without serious injury.

### Falls Into Tar.

C. W. Grote, a luna on the Lihue

## ROBERT HORNER WINS HIS PROTRACTED FIGHT

### FAMILY AGREEMENT AGAINST PUBLIC POLICY, IF IT EVER EXISTED, SAYS ROBINSON.

(From Sunday's Advertiser.)

That the Horner family agreement, if it ever existed, was against public policy and that it hadn't been proven to exist anyhow, is what Circuit Judge Robinson decided yesterday noon, when the arguments closed in the case of Horner versus Horner. The injunction, whereby Albert Horner sought to prevent Robert Horner from selling shares of Kukui plantation to Davies and company, was dissolved.

The court did not say whether if the agreement had been proved to exist, it would be sustained, but held that it had not been proved, and strongly intimated that even if proved it would not be enforced. Exceptions were noted by Thompson & Wilder for Albert Horner, and the case may be appealed. In ruling on the case Judge Robinson said:

"Agreements of the class to which the agreement referred to in the bill belongs, are not favored in law as a rule, and a long line of decisions, well considered by eminent authorities, and by systems of jurisprudence, down to the present time, have found agreements of that character as being against public policy, except in certain cases."

"Now, in this case, if it had been the intent of the original partners to limit the ownership of the one-quarter interest transferred and assigned by the bill of sale, which appears not to have been dated, but was recorded on the thirteenth of September, 1889, it

would have been an easy matter to have expressed the idea to be conveyed by the agreement in reference to the disposition of any interest in the partnership of John M. Horner & Sons by a covenant running with the property assigned in the instrument. That was not done, and the instrument is absolutely silent as to any limitation of the property assigned and transferred. It is only fair to assume that the parties didn't intend so to limit it.

"There have been exceptions, it is true, where agreements such as that referred to in the bill have been upheld by the courts, but those have been under exceptional circumstances and upon clear and convincing proof; and I do not think that the evidence shows in the case at bar such exceptional circumstances, nor is the proof clear and convincing with the establishment of such an assumption."

"In my judgment the respondent is entitled to a judgment and decree of this court in accordance with the prayer contained in his answer; and that the injunction be dissolved and the bill dismissed."

The agreement as testified to by the plaintiff was that none of the original family holders of the stock would sell any shares in the corporation to any outsider, without first offering the stock to other members of the family, at the price which any outsider was willing to pay. Robert Horner denied the existence of any such agreement.

### Is Certainly Bankrupt.

John D. Holt was adjudged a bankrupt in the federal court yesterday morning. The Territory of Hawaii was his principal creditor. A short statement showed that he owed in taxes, dating back to 1900, the sum of \$3673.10, and owed \$1532.38 to other creditors, and had not a cent of assets. It took about thirty entries of the word "none" to show that John D. had nothing with which to satisfy his creditors, including the Territory. The tax bills which are set forth as liabilities begin with the sum of \$786.10 in 1900 and continue for eight years until the sum of \$3673 is piled up. According to the petition, there is no real estate, no property of any kind, to meet the debts.